



# Grafton Conservation Commission

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## Minutes of the April 4, 2023 Meeting at 7:00 p.m.

A meeting of the Grafton Conservation Commission was held via Zoom on April 4, 2023. Present were: Chair Sandra Brock, Commissioners Jonathan Nickerson, Patrick Huegel and Travis Mast, Conservation Agent Leah Cameron and Conservation Assistant Jan Elyse Taylor.

Sandra Brock opened the public meeting at 7:03 p.m.

**March 7, 2023 Meeting Minutes** – Jonathan Nickerson made a motion to accept the meeting minutes as drafted. Patrick Huegel seconded the motion and it carried unanimously.

**March 21, 2023 Meeting Minutes** – This item was rescheduled to the April 18, 2023 meeting.

**Request for a Certificate of Compliance – DEP #164-890 / WP# 723 / SWP# 15-2 – 114 Merriam Road** - The request was rescheduled to the April 18, 2023 meeting. The Commission took no action.

**Request for a Certificate of Compliance – DEP #164-830/ WP# 668 – 6 Magnolia Lane** – The request was rescheduled to the April 18, 2023 meeting. The Commission took no action.

**Request to reissue a Certificate of Compliance – DEP #164-52 – 20 Williams Street** – The original Certificate of Compliance was issued on April 24, 2010 but cannot be located. The applicant requested to reissue a new original of the Certificate of Compliance so it can be recorded. Jonathan Nickerson made a motion to reissue a new original of the Certificate of Compliance. Travis Mast seconded the motion and it carried unanimously.

**NOI-#164-1031/WP#846/SWP#22-1 -58 Follette St – Cellco Partnership/Verizon Wireless – cell tower/driveway** – The Agent stated that this public hearing was closed at the March 21, 2023 meeting, and the applicant would like to provide feedback on the special conditions. The Agent stated a path forward could be the applicant providing an Order and Permit issuance extension, and asked whether this can be handled as an action item or if the applicant would need to file to amend the Notice of Intent. The concerns with the conditions mostly pertain to construction timing. Chair Sandra Brock suggested reaching out to DEP for advice.

**RDA – Westboro Road – Grafton Water District - water main replacement** – Tom Mahanna of Tighe & Bond and Dave Erickson of the Grafton Water District presented the project to the Commission which provides water to the Town of Grafton and Tufts University. Chair Sandra Brock disclosed that her company does work for Tufts University but this application does not list Tufts as a property owner or applicant. The applicant did not feel it was necessary for Chair Brock to recuse herself. The project proposed to replace the water main on Westboro Road

between Pine and Willard Street. Most of the work will take place within the existing roadway. There are no resource areas or buffer zones in the section where the water line is not in the roadway. A culvert close to Pine Street within the limit of disturbance is within the 25' no-disturb zone. A Waiver requested from Section V.C.5.a of Bylaw Regulations for work within the no-disturb. This project meets exemptions from filing a Notice of Intent at 310 CMR 10.02(2)(b)2.i and Section 3 of the Grafton Wetlands Protection Bylaw. Travis Mast made a motion to grant the waiver to work within the 25' no-disturb area and was seconded by Jonathan Nickerson. The motion carried unanimously. Travis Mast made a motion to close the hearing, issue a negative determination referencing the exemptions above with the condition that the protective measures outlined in the RDA be implemented. Patrick Huegel seconded the motion and it carried unanimously.

**RDA – 95 North Street – Town of Grafton - temporary crossing for soil testing** – Leah Cameron presented the project to the Commission. Soil testing is needed to confirm the location of a proposed parking lot and stormwater infrastructure, and a wetland needs to be crossed to access areas for testing for one day. Plywood will be kept on hand to minimize disturbance to the wetland. A waiver was requested from Section V.C.5.a of Bylaw Regulations for work within the 25' no-disturb zone. Patrick Huegel made a motion to grant the waiver to work within the 25' no-disturb zone and was seconded by Travis Mast. The motion carried unanimously. Travis Mast made a motion to close the hearing, issue negative determination with conditions that details outlined in the plan be implemented, and the work shall not be undertaken during excessively wet conditions. Patrick Huegel seconded the motion and it carried unanimously.

**NOI #164-1038 / WP #853 – 157 Pleasant Street – James Verney - house addition & garage** – Jay Verney presented the project to the Commission. The proposed water line has been shown on the plan and all comments have been satisfied. The waiver was granted to work within the 25' no-disturb zone was granted on March 21, 2023. Travis Mast made a motion to close the hearing, and issue the Order of Conditions with the special conditions that the no-disturb signage at the existing tree line shall be maintained, disturbed areas within the 25' no-disturb zone within the existing lawn shall be restored/vegetated post-construction, and the new water line location shall be outside of the existing no-disturb signed area and buried. Patrick Huegel seconded the motion and it carried unanimously.

**NOI – #164-1037/WP#852/SWP#23-4 & #164-1036/WP#851/SWP#23-3 - 118.5 Old Westboro Road, Lot A & 118.5 Old Westboro Road, Lot B – DiVerdi Builders - single family houses** – Scott Jordan from EcoTec and Kevin Quinn of Quinn Engineering presented the project to the Commission. Bio-infiltration was added to each stormwater design on Lot A and B. The applicant agreed to change the mulch chips to a wetland seed mix and loam. The applicant, Rob DiVerdi Jr., proposed removal of the invasive species, Asian Wisteria, Japanese Knotweed and honeysuckle. Clayton Morse from Davey Resource Group presented the removal plan to the Commission. Conservation Assistant, Jan Elyse Taylor, disclosed she previously worked for Davey Resource Group and reported to Mr. Morse. The invasives will be cut back and herbicides will be applied via spray and stump treatment over a 3-year period on Lot B. The application will occur in the 25' no-disturb zone. The Agent stated all peer review comments were satisfied, and the need for the applicant to discuss the contiguous upland with Building Inspector. Travis Mast made a motion to grant the waiver for the contiguous upland requirement

and was seconded by Patrick Huegel. The motion carried unanimously. Travis Mast made a motion to grant the waiver to work within the 25' no-disturb area and was seconded by Patrick Huegel. The motion carried unanimously.

Travis Mast made a motion to close the public hearing and issue the Order of Conditions with the finding that the approved plans for 118.5 Old Westboro Road Lots A (DEP #164-1037, WP #852, SWP #23-4) and B (under this Order & Permits) and 8 Morgan Drive (DEP #164-1035, WP #850, SWP #23-2) avoid alternative layouts of development across the three lots which would require a wetland crossing, the applicant added bio-detention and bio-infiltration components to the proposed basins on all three lots to incorporate LID; and the applicant developed invasive species management plan referenced to provide enhanced protection of the wetland resource areas, which allowed the contiguous upland requirement to be waived. The conditions that the dewatering basins shall be utilized during excavation of wells; the applicant shall submit revised details to the Commission for the proposed stormwater basin to reflect the discussion with the Commission during the public hearing and include loam, the previously proposed plantings, and a wetland seed mix at the bottom of the basins, as well as another appropriate seed mix for the basin slopes, and the invasive management plan shall be followed and submitted to the Commission. Patrick Huegel seconded the motion and it carried unanimously.

**NOI – #164-1035/ WP#850/ SWP#23-2 - 8 Morgan Drive – DiVerdi Builders - driveway & stormwater basins** - Scott Jordan from EcoTec and Kevin Quinn of Quinn Engineering presented the project to the Commission. Bio-infiltration was added to each stormwater design. The applicant agreed to change the mulch chips to a wetland seed mix and loam. The Agent reported all peer review comments have been satisfied. Travis Mast made a motion to close the public hearing and issue the Order of Conditions with the condition that prior to commencement of work, the applicant shall submit revised details to the Commission for the proposed stormwater basins to reflect the discussion with the Commission during the public hearing and include loam, the previously proposed plantings, and a wetland seed mix at the bottom of the basins, as well as another appropriate seed mix for the basin slopes. Patrick Huegel seconded the motion and it carried unanimously.

Jonathan Nickerson made a motion, seconded by Travis Mast, to adjourn the meeting at 8:48 p.m. The motion carried unanimously.

**Documents discussed & located in the Conservation Commission office:**

RDA Package for Westboro Road water main replacement  
RDA Package for 95 North Street  
NOI Package for 157 Pleasant Street  
NOI Package for 118.5 Old Westboro Road, Lots A & B  
NOI Package for 8 Morgan Drive  
Request for a Certificate of Compliance for 114 Merriam Road  
Request for a Certificate of Compliance for 6 Magnolia Lane  
Request for a Certificate of Compliance for 20 Williams Street  
March 7, 2023 Meeting Minutes  
Report to Commissioners dated April 4, 2023

Minutes drafted by Jan Elyse Taylor  
Approved on May 2, 2023